FILED

MAR 17 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8239

UNITED STATES OF AMERICA, Plaintiff, v. Diana VALDEZ-Valenzuela Defendant.	Magistrate Case No.: COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about March 15, 2008, within the Southern District of California, defendant Diana VALDEZ-Valenzuela, did knowingly and intentionally import approximately 27.38 kilograms (60.24 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF MARCH 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA

v.

Diana VALDEZ-Valenzuela

STATEMENT OF FACTS

This complaint is based on the personal observations, investigation and information provided to Immigration & Customs Enforcement Special Agent Mathew Kelley.

On March 15, 2008, at approximately 1450 hours, Diana VALDEZ-Valenzuela entered the United States at the Calexico, California, West Port of Entry. VALDEZ was the registered owner and sole occupant of a 1993 Volkswagen Jetta. During a pre-primary operation, Customs and Border Protection Officer (CBPO) Bryant approached the 1993 Volkswagen Jetta operated by VALDEZ. CBPO Bryant noticed that VALDEZ had a two handed grip on the steering wheel and was staring straight ahead. As VALDEZ handed CBPO Bryant her Border Crossing Card he noticed that her hand was shaking and that her carotid artery was visibly pulsating. VALDEZ gave CBPO Bryant a negative Customs declaration and stated that she was going shopping at Wal-Mart.

CBPO Bryant then utilized a "buster" on the front tires, receiving an abnormally high reading. CBPO Bryant then escorted VALDEZ to the Vehicle Secondary (VS) office. CBPO Bugayoung drove the 1993 Volkswagen Jetta to the VS lot. As CBPO Bugayoung drove the vehicle he noticed that it shook.

During secondary inspection, discovered was a total of twenty (20) packages concealed within all four tires of the vehicle. CBPO Ledbetter cut one of the packages open producing a green leafy substance, which field-tested positive for marijuana. The 20 packages had a combined net weight of approximately 27.38 kilograms (60.24 pounds).

VALDEZ was placed under arrest and advised of her Miranda Rights, which she acknowledged and waived, agreeing to answer questions without an attorney present.

VALDEZ admitted knowledge of the marijuana within the vehicle and stated that she was going to be paid $1000 to cross the marijuana-laden vehicle into the U.S. VALDEZ was to drive the vehicle from Mexicali, Mexico to the California Market in Calexico, California.

VALDEZ was processed and transported to the Imperial County Jail pending her initial appearance before a U.S. Magistrate Judge in El Centro, California.